

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

JOHN K. GOODROW, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	Civil No. 3:11CV020 (MHL)
	:	(Consolidated)
FRIEDMAN & MACFADYEN, P.A., <i>et al.</i> ,	:	
	:	
Defendants.	:	

STIPULATED PROTECTIVE ORDER

IT IS HEREBY STIPULATED by and between Plaintiffs and Defendants, through their respective attorneys of record, as follows:

WHEREAS, documents, testimony and information have been and may be sought, produced or exhibited by and among the parties relating to attorney-client privileged communications between Defendants and their former clients, proprietary information of Defendants' former clients, financial information of homeowner debtors, confidential commercial information, or other proprietary information belonging to homeowners, Defendants, or Defendants' former clients, which information may be disclosed during the process of compiling a class member list in connection with the Class Action Settlement of this case.

THEREFORE, this Court orders as follows:

1. This Order shall govern the use, handling, and disclosure of all documents, testimony or information produced or given in this action that are designated to be subject to this Order.
2. Defendants shall make their best reasonable effort to provide access to Plaintiffs' counsel to all of the computer databases, servers and equipment, operations manuals and passcodes within Defendants' custody and control for the purpose of determining class

membership, a class list and other information regarding the class member loan that was subject to Defendants' collection. (the "Class data").

3. The Class data and any documents, testimony or information obtained from the servers, computer files or database(s) of Defendants pursuant to this Order ("Confidential Materials"), other than class list itself, will be treated as confidential whether or not designated in writing, or orally at a deposition, hearing, or trial.


4. In the absence of prior written permission from the designating party or an order by the Court, Confidential Materials shall not be disclosed to any person other than: (i) the parties and their attorneys and support staff employees who perform work tasks related to this case; (ii) qualified persons taking testimony involving such material and necessary stenographic and clerical personnel; (iii) the Claims Administrator for the Class Action Settlement and consulting or retained experts and any of their staff employed for to effectuate the Class Action Settlement; (iv) present or former employees of the producing party in connection with their depositions in this action, including witness produced pursuant to Fed. R. Civ. P. 30(b)(6); (v) witnesses who are deposed in this action or who are called to testify as witnesses at any hearing in this action, but only in preparation for the deposition or hearing and only as to such material in which the witness is identified as an originator, author, addressee, or recipient of the original or a copy; and (vi) the Court and Court personnel. Each of the persons in categories (iii), (iv) and (v) shall sign the attached Exhibit A. Any person of a category not identified in this paragraph, who is authorized as agreed by counsel for Plaintiffs and Defendants or by order of the Court, shall sign the attached Exhibit A.

5. This Order shall remain binding after the conclusion of this case unless otherwise ordered by the Court, and the Court shall retain jurisdiction over all parties bound hereby for the purposes of enforcing this Order.

6. Nothing herein shall affect or restrict the rights of any party with respect to its own documents or to the information obtained or developed independently of materials afforded confidential treatment pursuant to this Order.

7. The Court may impose appropriate sanctions for the disclosure of Confidential Information in violation of this Protective Order or for the improper designation of documents or testimony pursuant to this Protective Order.

IT IS SO ORDERED.

/s/ 
M. Hannah Lauck
United States Magistrate Judge

Dated: 12-9-13

The Honorable M. Hannah Lauck
United States Magistrate Judge

AGREED BY:

Dated: December 6, 2013

/s/ Leonard A. Bennett

Leonard A. Bennett (VA Bar No. 37523)
CONSUMER LITIGATION ASSOCIATES, P.C.
763 J. Clyde Morris Blvd., Suite 1-A
Newport News, VA 23601
Telephone: 757.930.3660
Facsimile: 757.930.3662
Email: lenbennett@clalegal.com

Kristi Cahoon Kelly, VSB#72791
SUROVELL, ISAACS, PETERSEN & LEVY, PLC
4010 University Drive, Second Floor
Fairfax, Virginia 22030
(703) 251-5400 – Telephone
(703) 591-9285 – Facsimile
Email: kkelly@siplfirm.com

Matthew J. Erausquin (VA Bar No. 65434)
Casey S. Nash (VA Bar No. 84261)
CONSUMER LITIGATION ASSOCIATES, P.C.
1800 Diagonal Road, Suite 600
Alexandria, VA 22314
Telephone: 703.273.7770
Facsimile: 888.892.3512
Email: matt@clalegal.com
Email: casey@clalegal.com

Counsel for Plaintiffs

Dated: December 6, 2013

/s/ Andrew Biondi

Andrew Biondi (VA Bar. No. 48100)
Cullen D. Seltzer
Sands Anderson, PC
1111 E. Main Street
23rd Floor
P.O. Box 1998
Richmond, VA 23218-1998
Telephone: (804) 648-1636
E-mail: abiondi@sandsaderson.com

Counsel for Defendants

EXHIBIT A

(FOLLOWING UNNUMBERED PAGE)

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**DECLARATION OF _____ UNDER
STIPULATED PROTECTIVE ORDER**

I, _____ being duly sworn, declare as follows:

1. My address is _____.
2. My present employer is _____.
3. My present occupation or job description is _____.

(1) I hereby acknowledge that: (i) I have been given a copy of the Stipulated Protective Order ("Protective Order") in the above-referenced case; (ii) I carefully read the Protective Order; and (iii) I understand and am familiar with the terms of the Protective Order.

(2) I will comply with all of the provisions of the Protective Order. I will hold all Confidential Materials disclosed to me, including the substance and any copy, summary abstract, excerpt, index or description, in confidence, and will not disclose such material to anyone not qualified under the Protective Order. I will not use any Confidential Material disclosed to me for any purposes other than this case.

(3) I will return all Confidential Material that comes into my possession and all documents and things that I have prepared relating thereto, to counsel for the Party by who I am retained or employed, or from whom I received such material.

(4) I hereby submit to the jurisdiction of the United States District Court for the Eastern District of Virginia for the purpose of enforcement of the Protective Order in this case.

I declare under the penalty of perjury that the foregoing is true and correct.
